

**UNITED STATES DISTRICT COURT**  
for the  
**MIDDLE DISTRICT OF ALABAMA**

United States of America	)	
v.	)	
JAMES MOORE	)	Case No: <u>2:93cr310-014-ID</u>
Date of Previous Judgment: <u>October 28, 1994</u> (Use Date of Last Amended Judgment if Applicable)	)	USM No: <u>03308-017</u>
	)	Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 292 months is reduced to 235 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: <u>40</u>	Amended Offense Level: <u>38</u>
Criminal History Category: <u>I</u>	Criminal History Category: <u>I</u>
Previous Guideline Range: <u>292</u> to <u>365</u> months	Amended Guideline Range: <u>235</u> to <u>293</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

**III. ADDITIONAL COMMENTS**

The Court has considered the factors set forth in 18 U.S.C. 3553(a) in making its reduction determination pursuant to 18 U.S.C. § 3582(c)(2)/Amendment 706.

Except as provided above, all provisions of the judgment dated 10/28/94 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: July 8, 2009

Judge's signature

Effective Date: July 22, 2009  
(if different from order date)

IRA DE MENT  
SENIOR UNITED STATES DISTRICT JUDGE

Printed name and title